

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 15-4264

UNITED STATES OF AMERICA,

Plaintiff - Appellee

vs.

JON PAUL CLEMENTS,

Defendant - Appellant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF W. VA.
No. 2:14-cr-00174-1

**FINAL MOTION FOR
ADDITIONAL ENLARGEMENT OF TIME**

Undersigned appointed counsel for Appellant moves pursuant to F.R.A.P. 26(b) for a final, three-day, extension of his time to file the opening brief and appendix, now due on October 21, 2015, [ECF 24], for the following reasons:

1. Within the past three days, the undersigned discovered that a state court order relevant to the Appellant's criminal history computation is not in the undersigned's case file. Arrangements have been made to obtain the order, but the

Kanawha County, West Virginia, Circuit Clerk's office advises that the court case file in question, which dates from 2002, is in off-premises storage, and that it will not be available for inspection until Wednesday, October 21, at the earliest.

2. Due to a mis-communication with the undersigned's printer, Lantagne Legal, the draft appendix initially prepared does not contain all of the documents the undersigned identified for inclusion. That problem is in the process of being resolved, but counsel only received the revised draft of the appendix yesterday, October 20, 2015.

Appellant therefore moves, by counsel, for a fourth (and final) extension of the briefing schedule, to make the appendix and opening brief due on Monday October 26, 2015. Efforts to reach Assistant United States Attorney Monica Coleman to learn her position on this motion have not been successful.

Respectfully submitted October 21, 2015.

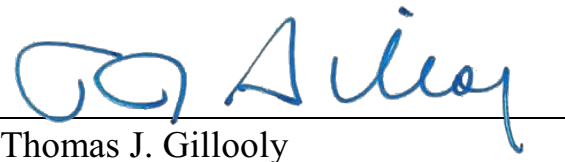


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CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2015, I electronically filed the foregoing document using the CM/ECF system, which will send notification of the filing to:

Monica D. Coleman
Assistant United States Attorney



Thomas J. Gillooly